

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 1255 - SB 1215**

March 4, 2015

**SUMMARY OF BILL:** Deletes current law regarding the execution of documents, within 15 business days, by a sheriff or chief of police for persons residing within the applicable jurisdiction, when such persons purchase a firearm.

Defines “chief law enforcement officer”, “certification”, and “firearm” for the purpose of this bill. Specifies various reporting requirements for chief law enforcement officers regarding the provision of certification required by federal law or regulation involving the transfer or making of a firearm. Requires any such certification to be provided within 15 days of receipt of a request for certification, unless the person is prohibited by law from receiving or possessing the firearm. Requires any such officer to provide written notification and the reasons for why a certification is denied. Prohibits any officer from denying certification based on a generalized objection to private persons or entities making, possessing, or receiving firearms.

Declares that any officer and the officer’s employees who act in good faith are immune from civil liability. Authorizes a denied applicant to appeal the officer’s denial decision to the circuit court located in the jurisdiction of the applicant. Authorizes an officer to conduct a background check, including an inquiry of the national instant criminal background check system, and the officer may require of the applicant information necessary to identify the applicant for that purpose or to determine the disposition of an arrest or proceeding relevant to the applicant’s eligibility to lawfully possess or receive a firearm.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- The Department of Safety and the Tennessee Bureau of Investigation both confirm this bill will have no fiscal impact on state operations.
- Municipal Technical Advisory Service (MTAS) confirms this bill will have no fiscal impact on local operations.
- Under current law, officers have 15 business days to execute required documentation; under the provisions of this bill, officers will have 15 calendar days to execute any certification. Any increase in local expenditures for providing certifications in 15 calendar days, rather than with 15 business days, is estimated to be not significant.
- The number of certifications denied is expected to be fewer under the provisions of this bill relative to the number which are denied under current law.

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- There will not be a sufficient number of civil proceedings for state or local government to experience any significant increase in revenue or expenditures.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink, reading "Jeffrey L. Spalding". The signature is written in a cursive style with a large, stylized "J" and "S".

Jeffrey L. Spalding, Executive Director

/dwl